

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Harry Lee Joyner**

**Docket No. 5:09-CR-308-1F**

**Petition for Action on Supervised Release**

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Harry Lee Joyner, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on June 11, 2010, to the custody of the Bureau of Prisons for a term of 70 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Harry Lee Joyner was released from custody on October 23, 2014, at which time the term of supervised release commenced. On May 2, 2016, a Motion for Revocation on Offender Under Supervised Release was submitted to the court advising the defendant had been arrested on April 16, 2016, in Wake County, North Carolina, for Felon in Possession of a Firearm (16CR207549) and misdemeanor Carrying a Concealed Gun (16CR207548). On May 4, 2016, a Warrant for Arrest was issued and served on May 27, 2016, when the Wake County charges were dismissed. On May 31, 2016, a Petition for Action on Supervised Release was filed requesting the Motion for Revocation filed on May 2, 2016, be withdrawn due to a subsequent lack of evidence. It was further requested that the defendant be released from custody and the term of supervised release be continued. On June 1, 2016, the court concurred with the Order and Joyner was released from custody.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On September 10, 2016, the defendant was charged in Pitt County, North Carolina, with Speeding and Driving While License Revoked (16CR709394), which occurred on the same date. Joyner immediately notified the undersigned probation officer of the new offenses and admitted to driving a vehicle without a valid license. The defendant was verbally reprimanded for his actions and agreed to the completion of 2 days confinement in the Bureau of Prisons as a sanction.

On September 28, 2016, the defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Michael W. Dilda  
Michael W. Dilda  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2342  
Executed On: October 13, 2016

**ORDER OF THE COURT**

Considered and ordered this 14 day of October, 2016, and ordered filed and  
made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge